

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE:

CHANTIX (VARENICLINE) MARKETING, SALES  
PRACTICES AND PRODUCTS LIABILITY  
LITIGATION (NO. II)

*This Document Relates to All Actions*

22-MD-3050 (KPF)

22-MC-3050 (KPF)

**ORDER**

KATHERINE POLK FAILLA, District Judge:

For the reasons stated on the record at the May 6, 2025 telephonic conference, the Court hereby dismisses Plaintiffs' warranty claims for lack of pre-suit notice. The Court finds that Plaintiffs cannot amend their pleadings, in a manner consistent with Rule 11 of the Federal Rules of Civil Procedure, to allege compliance with the pre-suit notice requirements. The Court also dismisses Plaintiffs' negligence-based claims based on the economic loss doctrine, except it leaves in place the negligent misrepresentation claims brought by Plaintiffs under Georgia and North Carolina law. The parties are ORDERED to meet and confer and provide the Court with a proposed case management plan on or before **May 30, 2025**.

SO ORDERED.

Dated: May 6, 2025  
New York, New York



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KATHERINE POLK FAILLA  
United States District Judge